

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

GIRAFA.COM, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 07-787-SLR
	)	
AMAZON WEB SERVICES LLC,	)	
AMAZON.COM, INC., ALEXA	)	
INTERNET, INC., IAC SEARCH &	)	
MEDIA, INC., SNAP TECHNOLOGIES, INC.,	)	
YAHOO! INC., SMARTDEVIL INC.,	)	
EXALEAD, INC., and EXALEAD S.A.,	)	
	)	
Defendants.	)	

**PLAINTIFF'S REPLY TO AMENDED COUNTERCLAIMS OF  
DEFENDANT SNAP TECHNOLOGIES, INC.**

Plaintiff and Counterclaim Defendant Girafa.Com, Inc. ("Girafa") hereby replies to Snap Technologies, Inc.'s ("Snap") Amended Answer to Complaint, Affirmative Defenses and Counterclaims as follows:

**COUNTERCLAIMS**

66. Girafa admits that Snap seeks a declaratory judgment as stated, but denies that any such judgment is warranted.

**JURISDICTION**

67. Girafa admits the allegations in paragraph 67 of Snap's Counterclaims.

68. Girafa admits the allegations in paragraph 68 of Snap's Counterclaims.

69. Girafa admits the allegations in paragraph 69 of Snap's Counterclaims.

70. Girafa admits that Girafa alleges in its Complaint that Snap has infringed the patent-in-suit and that Snap denies Girafa's allegations of infringement of the patent-in-suit, and

that an actual and justiciable controversy exists. Girafa denies the remaining allegations in this paragraph.

**COUNT I**

(Declaratory Judgment of Non-infringement)

71. Girafa restates and incorporates by reference its responses to paragraphs 66-70 of Snap's Counterclaims as if fully set forth herein.

72. Girafa denies the allegations of paragraph 72 of Snap's Counterclaims.

73. Girafa denies the allegations of paragraph 73 of Snap's Counterclaims.

74. Girafa admits that the stated controversy exists.

75. Girafa denies the allegations of paragraph 75 of Snap's Counterclaims.

**COUNT II**

(Declaration of Invalidity)

76. Girafa restates and incorporates by reference its responses to paragraphs 66-75 of Snap's Counterclaims as if fully set forth herein

77. Girafa denies the allegations of paragraph 77 of Snap's Counterclaims.

78. Girafa denies the allegations of paragraph 78 of Snap's Counterclaims.

79. Girafa admits that the stated controversy exists.

80. Girafa denies the allegations of paragraph 80 of Snap's Counterclaims.

**PRAYER FOR RELIEF**

Girafa denies that Snap is entitled to any aspect of the relief it seeks.

**ADDITIONAL PRAYER FOR RELIEF**

WHEREFORE, in addition to its Complaint and in response to Snap's Counterclaims, Girafa respectfully requests that:

- a. Judgment be entered declaring that each of the claims of the '904 patent is valid, enforceable and infringed;
- b. Judgment be entered that each of the counterclaims against Girafa is dismissed with prejudice;
- c. Judgment be entered awarding Girafa its costs and reasonable attorneys' fees pursuant to 35 U.S.C. § 285; and
- d. The Court enter such other and further relief as the Court may deem just and proper under the circumstances.

ASHBY & GEDDES

*/s/ Tiffany Geyer Lydon*

---

Steven J. Balick (I.D. # 2114)  
John G. Day (I.D. # 2403)  
Tiffany Geyer Lydon (I.D. # 3950)  
500 Delaware Avenue, 8<sup>th</sup> Floor  
P.O. Box 1150  
Wilmington, DE 19899  
(302) 654-1888

sbalick@ashby-geddes.com  
jday@ashby-geddes.com  
tlydon@ashby-geddes.com

*Attorneys for Plaintiff Girafa.com Inc.*

*Of Counsel:*

William H. Mandir

John F. Rabena

Carl J. Pellegrini

Chandran B. Iyer

Trevor C. Hill

SUGHRUE MION, PLLC

2100 Pennsylvania Ave., N.W.

Washington D.C. 20037

(202) 293-7060

Dated: July 30, 2008